

By: Representative Ladner

To: Education;
Appropriations

HOUSE BILL NO. 116

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE ASSIGNMENT OF AN ASSISTANT TEACHER TO EVERY CLASSROOM
3 FOR KINDERGARTEN THROUGH FOURTH GRADE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 37-21-7, Mississippi Code of 1972, is
6 amended as follows:

7 37-21-7. (1) This section shall be referred to as the
8 "Mississippi Elementary Schools Assistant Teacher Program," the
9 purpose of which shall be to provide an early childhood education
10 program that assists in the instruction of basic skills. The
11 State Board of Education is authorized, empowered and directed to
12 implement a statewide system of assistant teachers in kindergarten
13 classes and in the first, second * * *, third and fourth grades.
14 The assistant teacher shall assist pupils in actual instruction
15 under the strict supervision of a licensed teacher.

16 (2) (a) Except as otherwise authorized under subsection
17 (7), each school district shall employ the total number of
18 assistant teachers funded under subsection (6) of this section.



19 The superintendent of each district shall assign the assistant
20 teachers to the kindergarten, first-, second- * * *, third- * * *
21 and fourth-grade classes in the district in a manner that will
22 promote the maximum efficiency, as determined by the
23 superintendent, in the instruction of skills such as verbal and
24 linguistic skills, logical and mathematical skills, and social
25 skills.

26 (b) If a licensed teacher to whom an assistant teacher
27 has been assigned is required to be absent from the classroom, the
28 assistant teacher may assume responsibility for the classroom in
29 lieu of a substitute teacher. However, no assistant teacher shall
30 assume sole responsibility of the classroom for more than three
31 (3) consecutive school days. Further, in no event shall any
32 assistant teacher be assigned to serve as a substitute teacher for
33 any teacher other than the licensed teacher to whom that assistant
34 teacher has been assigned.

35 (3) Assistant teachers shall have, at a minimum, a high
36 school diploma or a High School Equivalency Diploma equivalent,
37 and shall show demonstratable proficiency in reading and writing
38 skills. The State Department of Education shall develop a testing
39 procedure for assistant teacher applicants to be used in all
40 school districts in the state.

41 (4) (a) In order to receive funding, each school district
42 shall:



43 (i) Submit a plan on the implementation of a
44 reading improvement program to the State Department of Education;
45 and

46 (ii) Develop a plan of educational accountability
47 and assessment of performance, including pretests and posttests,
48 for reading in Grades 1 through 6.

49 (b) Additionally, each school district shall:

50 (i) Provide annually a mandatory preservice
51 orientation session, using an existing in-school service day, for
52 administrators and teachers on the effective use of assistant
53 teachers as part of a team in the classroom setting and on the
54 role of assistant teachers, with emphasis on program goals;

55 (ii) Hold periodic workshops for administrators
56 and teachers on the effective use and supervision of assistant
57 teachers;

58 (iii) Provide training annually on specific
59 instructional skills for assistant teachers;

60 (iv) Annually evaluate their program in accordance
61 with their educational accountability and assessment of
62 performance plan; and

63 (v) Designate the necessary personnel to supervise
64 and report on their program.

65 (5) The State Department of Education shall:

66 (a) Develop and assist in the implementation of a
67 statewide uniform training module, subject to the availability of



68 funds specifically appropriated therefor by the Legislature, which
69 shall be used in all school districts for training administrators,
70 teachers and assistant teachers. The module shall provide for the
71 consolidated training of each assistant teacher and teacher to
72 whom the assistant teacher is assigned, working together as a
73 team, and shall require further periodic training for
74 administrators, teachers and assistant teachers regarding the role
75 of assistant teachers;

76 (b) Annually evaluate the program on the district and
77 state level. Subject to the availability of funds specifically
78 appropriated therefor by the Legislature, the department shall
79 develop: (i) uniform evaluation reports, to be performed by the
80 principal or assistant principal, to collect data for the annual
81 overall program evaluation conducted by the department; or (ii) a
82 program evaluation model that, at a minimum, addresses process
83 evaluation; and

84 (c) Promulgate rules, regulations and such other
85 standards deemed necessary to effectuate the purposes of this
86 section. Noncompliance with the provisions of this section and
87 any rules, regulations or standards adopted by the department may
88 result in a violation of compulsory accreditation standards as
89 established by the State Board of Education and the Commission on
90 School Accreditation.

91 (6) In addition to other funds allotted under the Minimum
92 Education or Adequate Education Program, each school district



93 shall be allotted sufficient funding for the purpose of employing
94 assistant teachers. No assistant teacher shall be paid less than
95 the amount he or she received in the prior school year. No school
96 district shall receive any funds under this section for any school
97 year during which the aggregate amount of the local contribution
98 to the salaries of assistant teachers by the district shall have
99 been reduced below such amount for the previous year.

100 For the 2007-2008 school year and school years thereafter,
101 the minimum salary for assistant teachers shall be Twelve Thousand
102 Five Hundred Dollars (\$12,500.00).

103 In addition, for each one percent (1%) that the Sine Die
104 General Fund Revenue Estimate Growth exceeds five percent (5%) in
105 fiscal year 2006, as certified by the Legislative Budget Office to
106 the State Board of Education and subject to the specific
107 appropriation therefor by the Legislature, the State Board of
108 Education shall revise the salary scale in the appropriate year to
109 provide an additional one percent (1%) across-the-board increase
110 in the base salaries for assistant teachers. The State Board of
111 Education shall revise the salaries prescribed above for assistant
112 teachers to conform to any adjustments made in prior fiscal years
113 due to revenue growth over and above five percent (5%). The
114 assistant teachers shall not be restricted to working only in the
115 grades for which the funds were allotted, but may be assigned to
116 other classes as provided in subsection (2)(a) of this section.



117 (7) (a) As an alternative to employing assistant teachers,
118 any school district may use the allotment provided under
119 subsection (6) of this section for the purpose of employing
120 licensed teachers for kindergarten, first-, second- * * *,
121 third- * * * and fourth-grade classes; however, no school district
122 shall be authorized to use the allotment for assistant teachers
123 for the purpose of employing licensed teachers unless the district
124 has established that the employment of licensed teachers using
125 such funds will reduce the teacher:student ratio in the
126 kindergarten, first-, second- * * *, third- * * * and fourth-grade
127 classes. All state funds for assistant teachers shall be applied
128 to reducing teacher:student ratio in Grades K-3.

129 It is the intent of the Legislature that no school district
130 shall dismiss any assistant teacher for the purpose of using the
131 assistant teacher allotment to employ licensed teachers. School
132 districts may rely only upon normal attrition to reduce the number
133 of assistant teachers employed in that district.

134 (b) Districts meeting the highest levels of
135 accreditation standards, as defined by the State Board of
136 Education, shall be exempted from the provisions of subsection (4)
137 of this section.

138 **SECTION 2.** This act shall take effect and be in force from
139 and after July 1, 2019.

